

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3                                   Case No.: 3:23-cv-00035-MMD-CSD

4                   DAVE CLEMENS,  
5                   Plaintiff

6                                   **Order**

7                                   Re: ECF Nos. 30, 31

8                   v.

9                   NEVADA DEPARTMENT OF  
10                  CORRECTIONS, et al.,  
11                  Defendants

12                  Before the court are: (1) Plaintiff's motion for an order compelling Defendants to  
13                  provide their mandatory disclosures (ECF No. 30); and (2) Plaintiff's motion for an order  
14                  compelling Defendants to answer the amended pleading (ECF No. 31). Defendants filed  
15                  responses to the motions. (ECF Nos. 33 and 34, respectively.) Plaintiff did not file a reply brief.

16                  Plaintiff's motion to compel Defendants to provide their mandatory disclosures (ECF No.  
17                  30) is **DENIED**. The scheduling order was entered in this matter on September 28, 2023. (ECF  
18                  No. 28.) It required Defendants to produce their mandatory disclosures within 30 days of the date  
19                  of that order, or by October 30, 2023 (since the 30-day deadline fell on a Saturday).

20                  In their response, Defendants indicate that they provided their mandatory disclosures on  
21                  November 1, 2023. Defendants' mandatory disclosures were produced two days late. In the  
22                  future, Defendants shall timely comply with the court's orders or risk facing sanctions. In any  
23                  event, Defendants have provided their mandatory disclosures, and Plaintiff's motion to compel  
                    their production is moot. Plaintiff is also reminded that if there is a discovery dispute, he is  
                    required under the Federal Rules of Civil Procedure, the Local Rules and the scheduling order  
                    entered in this case to engage in a meet and confer session to undertake a good faith effort to

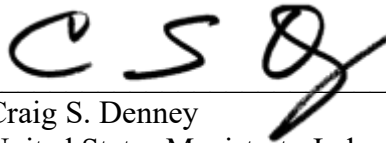
1 resolve the dispute *before* filing a discovery motion. In addition, any discovery motion must  
2 include a declaration setting for the details and results of the meet and confer conference about  
3 each disputed discovery request. A failure to comply with this requirement may result in denial  
4 of a discovery motion.

5 Plaintiff's motion to compel Defendants to file a response to the amended pleading (ECF  
6 No. 31) is also **DENIED**.

7 The First Amended Complaint (FAC) was filed on June 9, 2023. (ECF No. 17.)  
8 Defendants filed their answer to the FAC on August 29, 2023. (ECF No. 19.) Defendants have  
9 already filed their responsive pleading; therefore, there is nothing to compel.

10 **IT IS SO ORDERED.**

11 Dated: December 1, 2023

12   
13 Craig S. Denney  
14 United States Magistrate Judge  
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